

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

SEAN DEDRIC RODEN, AKA
SHANNON SHIVHAN RODEN,

Plaintiff,

Case No. 19-cv-11963
Hon. Matthew F. Leitman

v.

CASTILLA (FNU), TIMOTHY MOREY,
JOEL SALINAS, and FREDEANE ARTIS,

Defendants.

**ORDER DENYING PLAINTIFF’S MOTION FOR APPOINTMENT
OF COUNSEL (ECF. NO. 3) WITHOUT PREJUDICE**

On July 1, 2019, Michigan prisoner Sean Dedric Roden, also known as Shannon Shivhan Roden, filed this *pro se* civil-rights action pursuant to 42 U.S.C. § 1983. (*See* Compl., ECF #1.) Roden alleges violations of her¹ First and Fourteenth Amendment rights. (*See id.*) Roden has also filed a motion to appoint counsel. (*See* Mot., ECF #3.) The Court does not believe that the appointment of counsel is appropriate at this time.

¹ Plaintiff Roden self-describes as a “Transgender male-to-female prisoner” and uses the pronoun “her.” (Compl. at ¶1, ECF #1 at Pg. ID 1.) The Sixth Circuit has used a plaintiff’s legal surname to avoid confusion, but also applied “feminine pronouns” at a party’s request. *McBee v. Campbell Cty. Det. Ctr.*, 2018 WL 2046303, at *1 n.1 (6th Cir. Mar. 15, 2018).

The appointment of counsel in a civil action is a matter within the court's discretion. *See Glover v. Johnson*, 75 F.3d 264, 268 (6th Cir. 1996). A court may “request an attorney to represent any person unable to afford counsel,” 28 U.S.C. § 1915(e), but it is not required to appoint one. At this early stage of the case, the Court is not persuaded that it is appropriate to appoint Roden counsel. However, the Court may re-consider Roden’s request as the case develops. Roden need not file another motion on this issue.

Accordingly, for the reasons stated above, **IT IS HEREBY ORDERED** that Roden’s motion for the appointment of counsel (ECF #3) is **DENIED WITHOUT PREJUDICE**.

s/Matthew F. Leitman
MATTHEW F. LEITMAN
UNITED STATES DISTRICT JUDGE

Dated: August 28, 2019

I hereby certify that a copy of the foregoing document was served upon the parties and/or counsel of record on August 28, 2019, by electronic means and/or ordinary mail.

s/Holly A. Monda
Case Manager
(810) 341-9764